

JEFF J. MINCKLER

E-MAIL: jeff@minckler.net *(please use e-mail for all communications)*

PRESENT OCCUPATION: Arbitrator and Factfinder

BUSINESS ADDRESS

2355 Westwood Blvd., Box 636
Los Angeles, CA 90064

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INDUSTRY EXPERIENCE:

Aerospace, airport, ambulance, asphalt, cemetery, chemical, clerical, communications, construction, custodial, education (K-12 and university, certified and classified), electrical (lineman and commercial), fire, food preparation and handling, law enforcement (highway patrol, sheriff, police, 911 dispatch), legal, lumber and plywood, maritime, medical (nursing, health care, laboratory), metal, prison and jail, public works, road and bridge, security, solid waste (hauling, transfer stations and landfill), technology, transportation, trucking, utilities, water and wastewater

ISSUE EXPERIENCE:

Alcohol and drugs (on and off duty, testing), arbitrability (affirmative defenses and timeliness), assignments and reassignments, bidding, classification and pay, crew size, discipline and discharge/termination, dishonesty, due process, evaluations, factfinding (advisory and binding), harassment and violence, insubordination, insurance, layoff, leave benefits and abuse, NLRB ULP deferrals (including those regulated by *Babcock & Wilcox Construction*), off duty conduct, overtime and premium pay, past practice, performance deficiency, public speech, reduction in force, safety, seniority, sleeping on duty, training, wage and benefit comparisons

ROSTERS & PANELS:

Alaska Labor Relations Agency
State of Alaska and International Organization of Masters, Mates and Pilots
California Employment Relations Board
Federal Mediation and Conciliation Service, Regions 1 & 2
Montana Board of Personnel Appeals
Nebraska Commission of Industrial Relations
Nevada Employee-Management Relations Board
Oregon Employment Relations Board
Phoenix City Employment Relations Board
Washington Employment Relations Commission

RELATED EMPLOYMENT:

Academic: University instructor, research and case preparation [1972]

Labor: Representative, AFL-CIO local [1973-1974]

Management: Specialist, Montana State Labor Relations Bureau [1974-1977]

Bureau Chief and Governor's Designee for Collective Bargaining (governor's advisor and director of all state labor relations functions) [1977-1979]

Labor: Regional Manager and Chief Negotiator, Montana Public Employees Association [1979-1982]

Management: Director of Labor Relations, Montana School Boards Association [1982-1986]

Labor & Management: Private practice representation of unions and employers in the private and public sectors [1986-2011]

Neutral: Arbitrator and Factfinder (2011-present)

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RELATED EDUCATION:

University of Montana (Communications and Business Administration)
Cornell University Graduate School of Industrial and Labor Relations
American Arbitration Association University
Arizona Supreme Court & Attorney General ADR course
Federal Mediation and Conciliation Service Institute
Labor Arbitration Institute

PROFESSIONAL AFFILIATIONS:

State Bar of California, Labor and Employment Law section
Oregon State Bar, Administrative Law section
Washington State Bar Association, ADR section
Association for Conflict Resolution
Labor and Employment Relations Association
California, Montana and Washington labor relations associations

PRESENTATIONS & WRITINGS:

Keynote addresses for public and private sector employers and unions
Section and panel presenter at state and national conventions

Sample of topics:

Affirmative Defenses in Arbitration
Standards of Contract Interpretation
The Use of After-acquired Evidence in Arbitration
Dissecting Just Cause
Past Practice Application and Exceptions
Public Speech Protections and Exceptions
Living Under At-Will and Wrongful Discharge Statutes
The Requirements of Due Process
Weingarten, Garrity and Beckwith Protection
The Off Duty Nexus
The Law of the Collective Bargaining Hiatus
Tenured and Nontenured Teacher Dismissal and Nonrenewal
Satisfying the Requirements of Due Diligence
Fair Labor Standards Act in the Private and Public Sectors
Brady List Impact on Continuing Employment
A Dozen Variations of Seniority
Attempting Crystal Clear Contracts

Advanced discipline and discharge course for unions and employers
Instructor of graduate school labor relations and arbitration advocacy course

FEES & EXPENSES

Fee: Grievance arbitration: \$1,000. Interest arbitration, factfinding: Add 20%.

Time: Fee prorated on an 8-hour day (1 day minimum), including travel, study and writing.

Expenses: Transportation, lodging and meals at actual cost.

Cancellation: One day short notice fee if hearing date is vacated less than 2 weeks in advance.

ADDITIONAL & UPDATED INFORMATION: www.minckler.net